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July 30, 2019

By ECF

The Honorable Paul A. Engelmayer
United States District Court
Southern District of New York
40 Foley Square, Courtroom 1305
New York, NY 10007

Re: *ACLU, et al. v. DOD, et al.*, No. 17 Civ. 3391 (PAE)

Dear Judge Engelmayer:



National Office
125 Broad Street, 18th floor
New York NY 10004
(212) 549-2500
aclu.org

I write respectfully on behalf of Plaintiffs the American Civil Liberties Union and the American Civil Liberties Union Foundation (together, the "ACLU" or "Plaintiffs") to inform the Court of the parties' availability should the Court schedule oral argument on the pending cross-motions for summary judgment.

On August 29, 2019, I will be leaving my position at the ACLU. I will be traveling during the month of September and joining another organization on September 30. The ACLU has designated me (with agreement from my next employer) for any argument on the pending cross-motions, and I wanted to inform the court respectfully that I would be available before August 30 and after October 4.

Counsel for Defendants has asked me to represent the following: The Government takes no position on Plaintiffs' request. To the extent the Court wishes to hold oral argument in this matter, the Government notes that it is unavailable from August 12 through 16, August 29 through September 2, and November 18 through 22.

I thank the Court for its consideration of this matter.

Sincerely,

s/ Anna Diakun

Anna Diakun
American Civil Liberties Union
Foundation
125 Broad Street, 18th Floor
New York, NY 10004

Counsel for Plaintiffs

The Court appreciates this update. Oral argument is scheduled for Tuesday, October 8, 2019, at 2:30 p.m.

SO ORDERED.

7/31/2019

A handwritten signature in blue ink that reads "Paul A. Engelmayer". The signature is written in a cursive, flowing style.

PAUL A. ENGELMAYER
United States District Judge